

United States District Court

FILED
ORIGINAL
DISTRICT COURT OF GUAM

MAR 29 2005 *mb*

MARY L.M. MORAN
CLERK OF COURT

U.S.A. vs:

JOHN TROY SANTOS

Docket No.

CR 05-00016-003

Petition for Action on Conditions of Pretrial Release

COMES NOW

ROBERT I. CARREON

PRETRIAL SERVICES OFFICER

presenting an official report upon the conduct of defendant

John Troy Santos

who was placed under pretrial release supervision by the Joaquin V.E. Manibusan, Jr., Magistrate Judge
sitting in the court at Hagatna, Guam on the 24th date of February, 20 05

under the following conditions:

Report to the U.S. Probation Office and the Drug Enforcement Administration as directed; surrender his passport to the Clerk of Court of the U.S. District Court of Guam; obtain no passport; maintain fixed residence; not leave Guam without permission of the Court and U.S. Probation; refrain from possessing a firearm, destructive device or other dangerous weapons; refrain from excessive use of alcohol; refrain from any unlawful possession of a narcotic drug or other controlled substances, unless prescribed by a licensed practitioner; submit to drug testing; and stay away from all ports of entry and exit.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

(If short insert here; if lengthy write on separate sheet and attach)

(See attached Special Report by U.S. Probation Officer Robert I. Carreon)

PRAYING THAT THE COURT WILL

Pursuant to 18 U.S.C. §3154(5), order that a summons be issued, and that this matter be set for a hearing, and at that hearing, the defendant be held to answer or show cause why conditions of release should not be modified, or for any other matter for which the Court may deem just and proper.

ORDER OF COURT

Considered and ordered 29th day
of March, 2005 and ordered
and made a part of the records in the
case.

ROBERT CLIVE JONES, Designate
U.S. District Judge/Magistrate

Respectfully,

Robert I. Carreon

U.S. Pretrial Services Officer

Place: Hagatna, Guam

Date: March 25, 2005

RECEIVED

MAR 28 2005

UNITED STATES OF AMERICA,
Plaintiff,

vs.

JOHN TROY SANTOS
Defendant.

SPECIAL REPORT

As this case is presently under seal, this Officer has coordinated all contact with Mr. Santos through the U.S. Drug Enforcement Administration. The pretrial supervision orientation was conducted on March 8, 2005, during which time all release conditions were explained to him. The orientation also included a discussion of any risks the case may pose. In line with this, and relative to the nature of the instant offense, Mr. Santos was asked to elaborate on his employment with the Guam Fire Department. According to Mr. Santos, he is a Firefighter I and presently stationed at the Tamuning Fire Station. He related that twice per week he is detailed as a paramedic, responding to various emergencies as received. Mr. Santos is otherwise detailed as a regular member of the fire engine unit, which also responds to various emergencies as received. He related that he has a rotating schedule that is comprised of ten 24-hour work days per month. Mr. Santos lastly reported that his employer is unaware of his involvement in the instant offense as he is presently cooperating with authorities.

SPECIAL REPORT

Request for Employer Notification Condition

Re: SANTOS, John Troy

USDC Cr. Cs. No. 05-00016-003

March 25, 2005

Page 2

Given Mr. Santos' employment information above and his admission of "ice" use on February 17, 2005 (contained in the pretrial services report), it is the determination of the U.S. Probation Office that there exists clear third party risk to the individuals he serves with his occupation as a firefighter and paramedic. To address this risk, the U.S. Probation Office has subjected Mr. Santos to a urinalysis schedule that is at an increased rate of twice weekly. However, the U.S. Probation Office submits to the Court and the Parties that the risk of danger to the community cannot be addressed by urinalysis at any frequency.

If Mr. Santos' case was not sealed, the U.S. Probation Office would be requesting that the defendant's pretrial release conditions be modified to include third party notification to his employer. It is therefore recommended that upon unsealing of this case, the Court modify Mr. Santos' pretrial release conditions, pursuant to 18 U.S.C. §3142(c)(3), to include notification of his case to his employer.

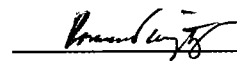
RESPECTFULLY submitted this 25th day of March 2005.

FRANK MICHAEL CRUZ
Chief U.S. Probation Officer

By:


ROBERT I. CARREON
U.S. Probation Officer

Reviewed by:


ROSSANNA VILLAGOMEZ-AGUON
U.S. Probation Officer
Supervision Unit Leader

cc: Karon V. Johnson, AUSA
Louie Yanza, Defense Counsel
File